

**UNOFFICIAL VERSION**

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**MONDAY, MARCH 5, 2012**

**FIFTY-EIGHTH LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Ramsey.

**PRAYER**

The proceedings were opened with prayer by Pastor Timothy Wilson of First United Pentecostal Church in Rockwood, Tennessee, a guest of Senator Yager.

**PLEDGE OF ALLEGIANCE**

Senator Yager led the Senate in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 32

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

**COMMUNICATION**

March 1, 2012

Lt. Governor Ron Ramsey  
1 Legislative Plaza

Dear Lt. Governor Ramsey:

I will be unable to attend Senate Session on Monday, March 5, 2012, as I will need to remain in my district so that I may cast my vote early Tuesday morning. I will be back in Nashville later that afternoon.

Sincerely,

/s/ Senator Rusty Crowe  
Chair, Senate Health and Welfare Committee  
Third Senatorial District

APPROVED: Lieutenant Governor  
Ron Ramsey

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**PRESENTATION**

Senator Johnson presented **Senate Joint Resolution No. 557** to Mr. Bill Presley in honor of Mr. John Chiaramonte, Jr.

**PRESENTATION**

Senator Roberts presented **Senate Joint Resolution No. 563** to the Lipscomb University Volleyball Team.

**REFERRAL OF BILL**

Mr. Speaker Ramsey announced he had referred the following Senate Bill to the Committee on Delayed Bills: **Senate Bill No. 3792**.

**MOTION**

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 3791 and 3793** be passed on first consideration, which motion prevailed.

**INTRODUCTION OF BILLS**

The Speaker announced that the following bills were filed for introduction and passed first consideration:

**Senate Bill No. 3791** by Senator Finney.

Jackson -- As introduced, subject to local approval, amends charter relative to the seeking of multiple positions in a single municipal election, vacancy and removal of council members, adoption of a redistricting ordinance, city judge and city court clerk salaries, and other charter revisions.

**Senate Bill No. 3793** by Senator Berke.

Hamilton County -- As introduced, subject to local approval, increases the board of the Chattanooga-Hamilton County Hospital Authority from 11 to 13; the legislative delegation is to appoint the two additional members upon the recommendation by the Hamilton County Medical Society. Amends Chapter 297 of the Private Acts of 1976.

**MOTION**

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 2174, 2356, 2381, 2612, 2794, 2853, 3266, 3323 and 3781** be passed on first consideration, which motion prevailed.

**HOUSE BILLS ON FIRST CONSIDERATION**

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

**House Bill No. 2174** -- Election Laws -- As introduced, allows persons age 60 and older to vote absentee upon request, instead of age 65 and older. Amends TCA Section 2-6-201(5).

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**House Bill No. 2356** -- Public Contracts -- As introduced, revises requirements for amounts of goods or services that may be procured without requisitioning through the Department of General Services or for contracts that may be entered into without approval of certain government officials; permits competitive negotiations on certain contracts upon approval by the chief procurement officer. Amends TCA Title 12, Chapter 3 and Title 12, Chapter 4.

**House Bill No. 2381** -- Transportation, Dept. of -- As introduced, authorizes department to enter into a negotiated contract with a financial institution for the purpose of stabilizing the net expense of the department for the purchase of gasoline, diesel or other fuels, or the net expense of price adjustments made for fuel, bituminous materials or other materials in the department's construction contracts. Amends TCA Title 4, Chapter 3, Part 23.

**House Bill No. 2612** -- Business and Commerce -- As introduced, enacts the "Small Business Incentive Act". Amends TCA Title 4; Title 8; Title 12; Title 48; Title 50 and Title 67.

**House Bill No. 2794** -- Highway Signs -- As introduced, designates exits on I-40 in Cumberland County for Sergeant Milo Lemert, a Medal of Honor recipient.

**House Bill No. 2853** -- Sexual Offenders -- As introduced, adds the offense of promoting prostitution to the list of sexual offenses requiring registration under the sex offender registry and adds second offense promoting prostitution to the list of violent sexual offenses. Amends TCA Title 40, Chapter 39, Part 2.

**House Bill No. 3266** -- Education -- As introduced, prohibits LEAs, school administrators and educators from taking action that infringes on or waives First Amendment rights of school personnel or students without written consent of those who would be affected. Amends TCA Title 49.

**House Bill No. 3323** -- Lottery, Charitable -- As introduced, authorizes formation of a broad-based school foundation, subject to certain conditions, by a school or its administrators or supporters; authorizes school foundations, although not in existence for at least five years, to be 501(c)(3) organizations for purposes of the Tennessee Charitable Gaming Implementation Law; removes requirement that 501(c)(3) organizations wanting to conduct an annual event to raise no more than \$5,000 be in existence for five years. Amends TCA Title 3, Chapter 17; Title 49, Chapter 2 and Title 49, Chapter 3.

**House Bill No. 3781** -- Insurance Companies, Agents, Brokers, Policies -- As introduced, allows a charitable organization to calculate reserves using the Annuity 2000 Mortality Table and other interest assumption, or other mortality table; allows organization to maintain a separate Tennessee account; allows the commissioner to designate a later time for the organization to submit an audited report. Amends TCA Title 56, Chapter 52.

### MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 2106, 2113, 2118 and 3787 through 3790** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

### SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

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**Senate Bill No. 2106** referred to the Committee on State and Local Government.

**Senate Bill No. 2113** referred to the Committee on Education.

**Senate Bill No. 2118** referred to the Committee on Government Operations.

**Senate Bill No. 3787** Local bill -- held on desk.

**Senate Bill No. 3788** Local bill -- held on desk.

**Senate Bill No. 3789** Local bill -- held on desk.

**Senate Bill No. 3790** Local bill -- held on desk.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 636 through 643** be passed on first consideration and lie over, which motion prevailed.

**INTRODUCTION OF RESOLUTIONS**

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 636** by Senators Kyle, Marrero, Stewart, Ford, Norris and Kelsey.  
Memorials, Death -- Howard Richardson.

**Senate Joint Resolution No. 637** by Senators Harper, Haynes, Barnes, Burks, Henry, Stewart, Herron, Finney and Ford.  
Memorials, Recognition -- Reverend Jimmy D. Greer.

**Senate Joint Resolution No. 638** by Senator Herron.  
Memorials, Death -- Kristy Pruitt Arnold.

**Senate Joint Resolution No. 639** by Senator Herron.  
Memorials, Death -- Jessica Forsythe.

**Senate Joint Resolution No. 640** by Senator Herron.  
Memorials, Sports -- Jerry Reese.

**Senate Joint Resolution No. 641** by Senator Herron.  
Memorials, Professional Achievement -- Lieutenant Jamie Summers, LAMissTN Fireman of the Year.

**Senate Joint Resolution No. 642** by Senator Herron.  
Memorials, Recognition -- Greg Pierce.

**Senate Joint Resolution No. 643** by Senator Norris.  
Memorials, Retirement -- Jeffrie Bruton.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 660 and 715; Senate Joint Resolutions Nos. 626 through 635; and Senate Resolution No. 86** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**RESOLUTIONS LYING OVER**

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

**House Joint Resolution No. 660** -- Memorials, Recognition -- Bishop Vashti Murphy McKenzie.

The Speaker announced that he had referred House Joint Resolution No. 660 to the Committee on Calendar.

**House Joint Resolution No. 715** -- Memorials, Recognition -- Charles Beasley.

The Speaker announced that he had referred House Joint Resolution No. 715 to the Committee on Calendar.

**Senate Joint Resolution No. 626** -- Memorials, Recognition -- Middle Tennessee State University's Land Development/Residential Building Construction Management Team.

The Speaker announced that he had referred Senate Joint Resolution No. 626 to the Committee on Calendar.

**Senate Joint Resolution No. 627** -- Memorials, Sports -- Randy Lambert.

The Speaker announced that he had referred Senate Joint Resolution No. 627 to the Committee on Calendar.

**Senate Joint Resolution No. 628** -- Memorials, Professional Achievement -- Barbara Evans, Teacher of the Year, Fairview-Marguerite Elementary School.

The Speaker announced that he had referred Senate Joint Resolution No. 628 to the Committee on Calendar.

**Senate Joint Resolution No. 629** -- Highway Signs -- "Spc. Jeremy Lynn Brown Memorial Bridge", State Route 56 in McMinnville, Warren County.

The Speaker announced that he had referred Senate Joint Resolution No. 629 to the Committee on Transportation and Safety.

**Senate Joint Resolution No. 630** -- Memorials, Recognition -- Charlie Daniels.

The Speaker announced that he had referred Senate Joint Resolution No. 630 to the Committee on Calendar.

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**Senate Joint Resolution No. 631** -- Memorials, Professional Achievement -- Glenda Bond, 2012 Fair Park Senior Center Women's History Month honoree.

The Speaker announced that he had referred Senate Joint Resolution No. 631 to the Committee on Calendar.

**Senate Joint Resolution No. 632** -- Memorials, Sports -- Lincoln County High School boys basketball team, District 8-AAA Regular Season Champion.

The Speaker announced that he had referred Senate Joint Resolution No. 632 to the Committee on Calendar.

**Senate Joint Resolution No. 633** -- Memorials, Recognition -- Dwayne Stanford, Trooper of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 633 to the Committee on Calendar.

**Senate Joint Resolution No. 634** -- Memorials, Recognition -- Dr. Jim Tedder.

The Speaker announced that he had referred Senate Joint Resolution No. 634 to the Committee on Calendar.

**Senate Joint Resolution No. 635** -- Constitutional Amendments -- As introduced, amends Article VI, Section 3 of the constitution to provide for the election of justices of the supreme court and judges of the court of appeals and court of criminal appeals from districts to be established by the general assembly.

The Speaker announced that he had referred Senate Joint Resolution No. 635 to the Committee on Judiciary.

**Senate Resolution No. 86** -- Memorials, Recognition -- Rubye Mae McTizic.

The Speaker announced that he had referred Senate Resolution No. 86 to the Committee on Calendar.

**NOTICE**

**COMMITTEE ON CALENDAR'S FIRST REPORT  
ON QUALIFIED ANNUAL EVENTS FOR 2012-2013**

Pursuant to Rule 76(1), the report was received and filed with the Clerk.

**CONSENT CALENDAR NO. 1**

**Senate Joint Resolution No. 615** -- Memorials, Recognition -- 290th Military Police Brigade.

**Senate Joint Resolution No. 616** -- Memorials, Recognition -- 304th Military Police Battalion.

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**Senate Joint Resolution No. 617** -- Memorials, Recognition -- Callie Deanda, Prudential Spirit of Community Award.

**Senate Joint Resolution No. 618** -- Memorials, Professional Achievement -- Debbie Shedden, 2011 C. Hal Henard Distinguished Service Award/School Board Member of the Year.

**Senate Joint Resolution No. 619** -- Memorials, Professional Achievement -- Donna Carter, Teacher of the Year, Whitesburg Elementary School.

**Senate Joint Resolution No. 620** -- Memorials, Professional Achievement -- Tiffany Fickle, Teacher of the Year, East Ridge Middle School.

**Senate Joint Resolution No. 621** -- Memorials, Professional Achievement -- Jean Shadow, Teacher of the Year, Russellville Elementary School.

**Senate Joint Resolution No. 622** -- Memorials, Professional Achievement -- Sharon Yount, Teacher of the Year, John Hay Elementary School.

**Senate Joint Resolution No. 623** -- Memorials, Professional Achievement -- Robin Roark, Teacher of the Year, Lincoln Elementary School.

**Senate Joint Resolution No. 624** -- Memorials, Professional Achievement -- Stephanie Dallmann, Teacher of the Year, Manley Elementary School.

**Senate Resolution No. 85** -- Memorials, Congratulations -- Junior League of Nashville, 90th anniversary, February 27, 2012, Day on the Hill.

**House Joint Resolution No. 684** -- Memorials, Recognition -- Hannah Wright, Prudential Spirit of Community Award recipient.

**House Joint Resolution No. 685** -- Memorials, Sports -- Darrell Waltrip, NASCAR Hall of Fame.

**House Joint Resolution No. 687** -- Memorials, Recognition -- Steve Wilensky, Germantown Lions Club 2011 Citizen of the Year.

**House Joint Resolution No. 688** -- Memorials, Sports -- Hardin County High School Lady Tigers bowling team, 2012 State Champions.

**House Joint Resolution No. 689** -- Memorials, Recognition -- Cumberland County Fair, 2011 Champion of Champions.

**House Joint Resolution No. 691** -- Memorials, Death -- Howard Richardson.

**House Joint Resolution No. 692** -- Memorials, Recognition -- Perry County's Tennessee State Championship Catfish Cook-Off.

**House Joint Resolution No. 693** -- Memorials, Recognition -- Ezra Fulkerson, Boys & Girls Club of Greater Kingsport 2012 Youth of the Year.

**House Joint Resolution No. 694** -- Memorials, Recognition -- Frank Byrd.

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**House Joint Resolution No. 696** -- Memorials, Professional Achievement -- Scottie King, Law Enforcement Officer of the Year.

**House Joint Resolution No. 697** -- Memorials, Recognition -- Betty Hawkins, Governor's Volunteer Stars Award.

**House Joint Resolution No. 699** -- Memorials, Recognition -- Lewisburg Lions Club, 75th diamond anniversary.

**House Joint Resolution No. 701** -- Memorials, Academic Achievement -- Amanda Thompson, Top Ten, Lewis County High School.

**House Joint Resolution No. 702** -- Memorials, Academic Achievement -- Shelby Skelton, Top Ten, Lewis County High School.

**House Joint Resolution No. 703** -- Memorials, Academic Achievement -- Dannye Rhinehart, Top Ten, Lewis County High School.

**House Joint Resolution No. 704** -- Memorials, Academic Achievement -- Beverly Smith, Top Ten, Lewis County High School.

**House Joint Resolution No. 705** -- Memorials, Academic Achievement -- Miranda Skelton, Top Ten, Lewis County High School.

**House Joint Resolution No. 706** -- Memorials, Academic Achievement -- Casey Janelle McBreairty, Top Ten, Lewis County High School.

**House Joint Resolution No. 707** -- Memorials, Academic Achievement -- Elizabeth Vaughan, Salutatorian, Lewis County High School.

**House Joint Resolution No. 708** -- Memorials, Academic Achievement -- Allison Henderson, Top Ten, Lewis County High School.

**House Joint Resolution No. 709** -- Memorials, Academic Achievement -- Sharon Criss, Top Ten, Lewis County High School.

**House Joint Resolution No. 710** -- Memorials, Academic Achievement -- Haylee Rae Trull, Valedictorian, Lewis County High School.

Senator Faulk moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.



**CONSENT CALENDAR NO. 2**

Objections having been raised, the following bills were placed at the heel of the calendar for Thursday, March 8, 2012, pursuant to Rule 38: **Senate Bills Nos. 2553 and 3179.**

**Senate Bill No. 2607** -- DUI Offenses -- As introduced, increases penalty for violation of DUI statute when child under 18 is in the vehicle to require that the mandatory minimum 30-day sentence for this offense be served consecutive to any sentence received for a violation of specified other alcohol-related offenses. Amends TCA Title 55, Chapter 10, Part 4.

**Senate Bill No. 2613** -- Driver Licenses -- As introduced, requires visible full face color photograph of a licensee. Amends TCA Title 55.

On motion, Senate Bill No. 2613 was made to conform with **House Bill No. 2547.**

On motion, House Bill No. 2547, on same subject, was substituted for Senate Bill No. 2613.

**Senate Bill No. 2815** -- Motor Vehicles -- As introduced, clarifies that certain trailers and semitrailers used in transporting rolled hay bales, rather than rolled alfalfa bales, are exempt from maximum width and height requirements for motor and other vehicles. Amends TCA Section 55-7-202.

On motion, Senate Bill No. 2815 was made to conform with **House Bill No. 3135.**

On motion, House Bill No. 3135, on same subject, was substituted for Senate Bill No. 2815.

**Senate Bill No. 3123** -- Naming and Designating -- As introduced, designates May, 2012 as "Motorcycle Safety and Awareness Month".

**Senate Bill No. 3389** -- Veterinarians -- As introduced, requires governor to consult with interested veterinary groups including the Tennessee Veterinary Medical Association, which under current law may recommend licensed doctors of veterinary medicine and licensed veterinary technicians for appointment to the board, prior to making appointments to board of veterinary medical examiners. Amends TCA Title 4, Chapter 29 and Section 63-12-104.

**Senate Bill No. 3394** -- Water -- As introduced, requires that any public water or waterworks system, which determines to initiate or permanently cease fluoridation of its water supply, shall notify the Departments of Health and Environment and Conservation and its customers 30 days prior to any vote. Amends TCA Title 68, Chapter 221.

**Senate Joint Resolution No. 499** -- Naming and Designating -- "Spinal Muscular Atrophy (SMA) Month", August, 2012.

**Senate Joint Resolution No. 569** -- Naming and Designating -- "Dairy Month" in Tennessee, June, 2012.

**Senate Joint Resolution No. 572** -- Naming and Designating -- "Landscape Architecture Month" in Tennessee, April, 2012.

**House Joint Resolution No. 565** -- Naming and Designating -- "Down Syndrome Awareness Day", March 21, 2012.

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Senator Faulk moved that all Senate Joint Resolutions be adopted; all House Joint Resolutions be concurred in; and all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 32  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

**LOCAL BILL**  
**CONSENT CALENDAR**

**Senate Bill No. 2473** -- Knox County -- As introduced, repeals the office of legislative affairs.

On motion, Senate Bill No. 2473 was made to conform with **House Bill No. 2480**.

On motion, House Bill No. 2480, on same subject, was substituted for Senate Bill No. 2473.

**Senate Bill No. 2537** -- Graysville -- As introduced, subject to local approval, requires the mayor of Graysville be elected on a ballot separate from that of candidates for commissioner. Amends Chapter 230 of the Private Acts of 1992; as amended.

On motion, Senate Bill No. 2537 was made to conform with **House Bill No. 2500**.

On motion, House Bill No. 2500, on same subject, was substituted for Senate Bill No. 2537.

Senator Faulk moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 32  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

**CALENDAR**

Mr. Speaker Ramsey moved that **Senate Bill No. 2221** be placed on the Calendar for Thursday, March 8, 2012, which motion prevailed.

**MOTION**

Senator Berke moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 726**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**House Joint Resolution No. 726** -- Memorials, Recognition -- Dr. Fannie D. Hewlett.

On motion of Senator Berke, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 726** was concurred in.

A motion to reconsider was tabled.

**CALENDAR**

**Senate Bill No. 2226** -- Intellectual & Developmental Disabilities -- As introduced, provides for a statewide admissions review committee in regard to developmental centers for persons with intellectual or developmental disabilities, instead of having a review board for each center; makes other various changes in regard to such center. Amends TCA Title 33.

Senator Bell moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting the effective date section and by substituting instead the following:

SECTION \_\_\_\_\_. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Bell moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting Section 7 of the printed bill in its entirety and by substituting instead the following:

SECTION 7. Tennessee Code Annotated, Section 33-5-302, is amended by deleting the statutory language in its entirety and replacing it with the following:

The chief officer or director of a center or the appointed designee:

(1) Shall cause each person admitted under § 33-5-301 or transferred under § 33-3-301 or Chapter 3, Part 4 of this title to be evaluated as often as necessary, but not less often than every six (6) months;

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(2) Shall discharge a person admitted under § 33-5-301 when the chief officer, director or designee and the statewide admission review committee determine that the person no longer meets the standards under which the person was admitted; or

(3) May discharge a person admitted under § 33-5-301 at any time when it is in his or her best interest.

AND FURTHER AMEND by deleting Sections 3 and 4 and by substituting instead the following as a new Section 3 and redesignating subsequent sections accordingly:

SECTION 3. Tennessee Code Annotated, Section 33-5-301, is further amended by deleting the following language from subdivision (b)(1) in its entirety:

(1) Under department rules the chief officer of a developmental center, subject to the availability of suitable accommodations and the absence of a less restrictive alternative, may admit for diagnosis, care, training and treatment:

and by substituting the following:

(1) Under department rules and pursuant to the direction of the statewide admission review committee, the chief officer or director of a center or the appointed designee of a developmental center, subject to the availability of suitable accommodations and the absence of a less restrictive alternative, may admit for diagnosis, care, training and treatment:

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 2226**, as amended, passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

**Senate Bill No. 2529** -- Safety, Dept. of -- As introduced, directs the department to conduct a study of motorcycle passenger safety, emphasizing the safety of motorcycle riders and passengers under 18, and report its results and recommendations to the House and Senate Transportation Committees by February 1, 2013. Amends TCA Title 55.

On motion, Senate Bill No. 2529 was made to conform with **House Bill No. 2729**.

On motion, House Bill No. 2729, on same subject, was substituted for Senate Bill No. 2529.

On motion of Senator Tracy, Amendment No. 1 was withdrawn.

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Thereupon, **House Bill No. 2729** passed its third and final consideration by the following vote:

Ayes ..... 32  
Noes ..... 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senator Overbey moved that **Senate Bill No. 2764** be placed on the Calendar for Thursday, March 8, 2012, which motion prevailed.

Senator Bell moved that **Senate Bill No. 3263** be placed on the Calendar for Thursday, March 8, 2012, which motion prevailed.

Senator Bell moved that **Senate Bill No. 2341** be placed on the Calendar for Monday, March 12, 2012, which motion prevailed.

Senator Barnes moved that **Senate Bill No. 3062** be rereferred to the Committee on Transportation and Safety, which motion prevailed.

Senator Ketron moved that **House Bill No. 2850**, as amended, be placed on the Calendar for Thursday, March 8, 2012, which motion prevailed.

**MESSAGE CALENDAR**

**SENATE BILL ON HOUSE AMENDMENT**

**Senate Bill No. 2175** -- Public Funds and Financing -- As introduced, enacts the "Uniformity in Tax Increment Financing Act of 2012". Amends TCA Title 7; Title 9 and Title 13.

Senator Norris declared Rule 13 on **Senate Bill No. 2175**.

**HOUSE AMENDMENT NO. 2**

AMEND by adding the language "; and" at the end of the amendatory language of § 9-23-102(a)(1) in Section 2.

Senator Johnson moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2175**, which motion prevailed by the following vote:

Ayes ..... 31  
Noes ..... 0

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Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

**MOTION**

Senator Berke moved that Rules 32 and 33 be suspended for the immediate introduction and referral of **Senate Joint Resolution No. 645**, out of order, which motion prevailed.

**INTRODUCTION OF RESOLUTION**

**Senate Joint Resolution No. 645** by Senator Berke.

Naming and Designating -- Designates March 12, 2012, as "Girl Scout Day" in Tennessee.

The Speaker announced he had referred Senate Joint Resolution No. 645 to the Committee on State and Local Government.

**MOTION**

Senator Yager moved that Rule 83(8) be suspended for the purpose of placing **Senate Joint Resolution No. 645** on the calendar for the Committee on State and Local Government for Tuesday, March 6, 2012, which motion prevailed.

**MOTION**

Senator Tate moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 660**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**House Joint Resolution No. 660** -- Memorials, Recognition -- Bishop Vashti Murphy McKenzie.

On motion of Senator Tate, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 660** was concurred in.

A motion to reconsider was tabled.

**MOTION**

On motion of Senators Johnson, Massey, Overbey, Southerland, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Bill No. 2280**.

On motion of Senator Stewart, his name was added as sponsor of **Senate Bill No. 2553**.

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On motion of Senators Berke, Faulk, Norris and Stewart, their names were added as sponsors of **Senate Bill No. 2607**.

On motion of Senator Burks, her name was added as sponsor of **Senate Bill No. 2815; and House Joint Resolution No. 689**.

On motion of Senators Norris and Tracy, their names were added as sponsors of **Senate Bill No. 3123**.

On motion of Senator Henry, his name was added as sponsor of **Senate Bill No. 3222; and Senate Resolution No. 85**.

On motion of Senators Faulk and Stewart, their names were added as sponsors of **Senate Bill No. 3263**.

On motion of Senator Overbey, his name was added as sponsor of **Senate Joint Resolutions Nos. 499 and 572**.

On motion of Senators Barnes, Beavers, Bell, Berke, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Joint Resolution No. 569**.

On motion of Senator Bell, his name was added as sponsor of **Senate Joint Resolution No. 635**.

On motion of Senators Berke, Burks, Faulk, Norris and Overbey, their names were added as sponsors of **House Joint Resolution No. 565**.

On motion of Senators Tate, Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 660**.

On motion of Senators Stewart and Tracy, their names were added as sponsors of **House Joint Resolution No. 684**.

On motion of Senators Faulk, Herron, Johnson, Norris, Overbey and Tracy, their names were added as sponsors of **House Joint Resolution No. 685**.

On motion of Senators Ford, Kelsey, Kyle, Marrero, Norris and Tate, their names were added as sponsors of **House Joint Resolutions Nos. 687 and 691**.

On motion of Senator Tracy, his name was added as sponsor of **House Joint Resolution No. 688**.

On motion of Senators Herron and Tracy, their names were added as sponsors of **House Joint Resolution No. 692**.

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On motion of Senator Faulk, his name was added as sponsor of **House Joint Resolutions Nos. 693 and 694.**

On motion of Senator Roberts, his name was added as sponsor of **House Joint Resolutions Nos. 696 and 697.**

On motion of Senators Beavers, Burks, Ford, Gresham, Harper, Marrero, Massey, Barnes, Bell, Berke, Campfield, Faulk, Finney, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 726.**

**ENGROSSED BILLS**

March 5, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2226, 2607, 3123, 3389 and 3394; and Senate Joint Resolutions Nos. 499, 569, 572, 615, 616, 617, 618, 619, 620, 621, 622, 623 and 624; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**MESSAGE FROM THE HOUSE**

March 5, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2295, 2403, 2406, 2591, 2650, 2764, 2827, 2860, 3008, 3009, 3010, 3026, 3053, 3443, 3834, 3843, 3844 and 3845; passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

March 5, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 662, 716, 717, 718, 719, 720, 721, 722, 723, 725, 727, 730, 731, 732, 733, 735 and 736; adopted, for the Senate's action.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

March 5, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 726, adopted, for the Senate's action.

JOE MCCORD,  
Chief Clerk.



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**MESSAGE FROM THE HOUSE**

March 5, 2012

MR. SPEAKER: I am directed to notify the Senate, House Resolution No. 210, was adopted by over a two-thirds majority vote.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

March 5, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1818, 2169, 2242, 2674, 2843, 2854, 3236 and 3240; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

March 5, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2192, 2291, 2295, 2314, 2382, 2813, 2814, 3006 and 3353; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

March 5, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2265 and 2652, substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,  
Chief Clerk.

**ENROLLED BILLS**

March 5, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 65, 882, 2220 and 2385; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**ENROLLED BILLS**

March 5, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613 and 614; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

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**ENROLLED BILLS**

March 6, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 1818, 2169, 2175, 2192, 2205, 2242, 2265, 2291, 2295, 2314, 2382, 2652, 2674, 2813, 2814, 2843, 2854, 3006, 3236, 3240 and 3353; and Senate Resolution No. 85; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**MESSAGE FROM THE HOUSE**

March 5, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 629, 2414, 2542 and 2833; for the signature of the Speaker.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

March 6, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 565, 660, 684, 685, 687, 688, 689, 691, 692, 693, 694, 696, 697, 699, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710 and 726; for the signature of the Speaker.

JOE MCCORD,  
Chief Clerk.

**SIGNED**

March 5, 2012

The Speaker announced that he had signed the following: Senate Bills Nos. 65, 882, 2220 and 2385.

**SIGNED**

March 5, 2012

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613 and 614.

**SIGNED**

March 6, 2012

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 565, 660, 684, 685, 687, 688, 689, 691, 692, 693, 694, 696, 697, 699, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710 and 726.

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**MESSAGE FROM THE HOUSE**

March 5, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613 and 614; signed by the Speaker.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

March 6, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 65, 882, 2220 and 2385; signed by the Speaker.

JOE MCCORD,  
Chief Clerk.

**REPORT OF DEPUTY CHIEF CLERK**

March 5, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613 and 614; for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**REPORT OF DEPUTY CHIEF CLERK**

March 6, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 65, 882, 2220 and 2385; for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**MESSAGE FROM THE GOVERNOR**

March 6, 2012

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 465, 524, 2159, 2170 and 2255; and Senate Joint Resolutions Nos. 585, 587, 588, 589, 592, 593, 594, 595, 596, 597, 598, 600, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614 and 625; with his approval.

HERBERT H. SLATERY III,  
Counsel to the Governor.

**MONDAY, MARCH 5, 2012 -- 58TH LEGISLATIVE DAY**

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 8, 2012: Senate Resolution No. 86; Senate Joint Resolutions Nos. 626, 627, 628, 630, 631, 632, 633 and 634; and House Joint Resolution No. 715.

This the 6th day of March, 2012.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 8, 2012: Senate Bills Nos. 2987, 3010, 3347 and 3580; Senate Joint Resolutions Nos. 526 and 645; and House Joint Resolution No. 535.

This the 6th day of March, 2012.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR  
LOCAL BILL  
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Thursday, March 8, 2012: Senate Bills Nos. 3779, 3786, 3787 and 3788.

This the 6th day of March, 2012.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 8, 2012: Senate Bills Nos. 2217, 2218, 2232, 2456, 2718, 2742, 3552, 3655, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2313, 3383, 2140, 2221, 2553, 2764, 3179 and 3263; and House Bill No. 2850.

This the 6th day of March, 2012.  
MIKE FAULK, Chairperson.

**ADJOURNMENT**

Senator Norris moved the Senate adjourn until 9:00 a.m., Thursday, March 8, 2012, which motion prevailed.